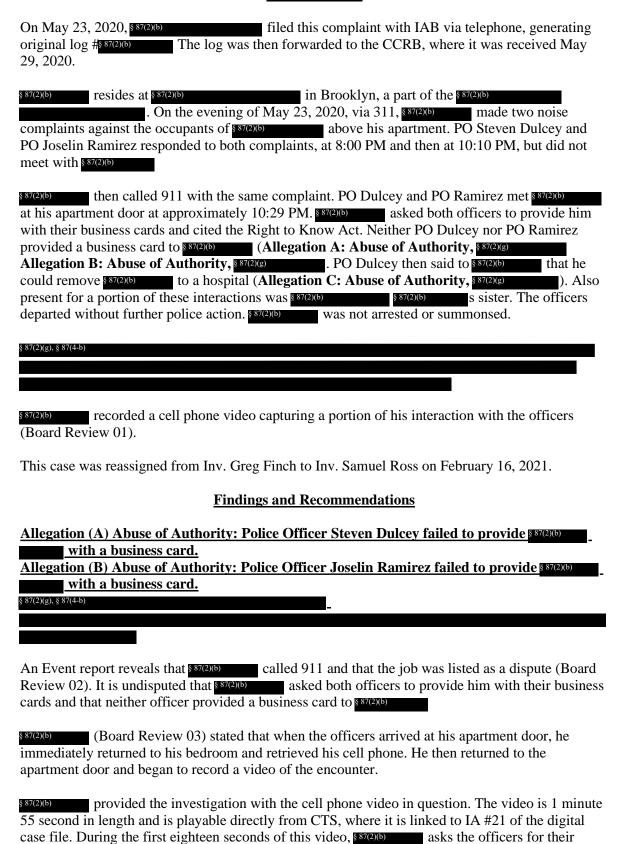
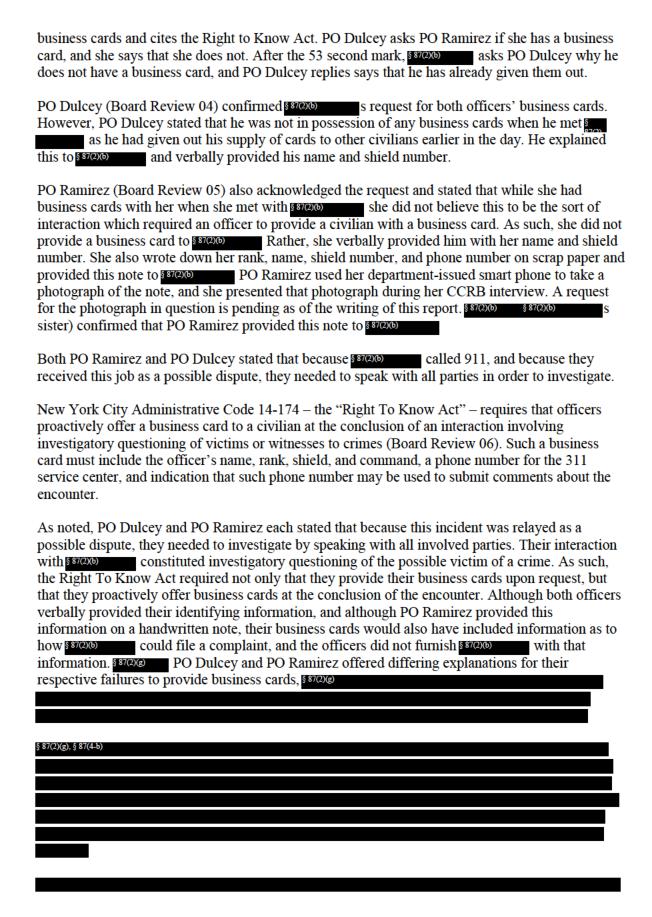
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:		Force		Discourt.	☐ U.S.
Samuel Ross		Squad #9	202003642		Abuse		O.L.	☐ Injury
Incident Date(s)		Location of Incident:		P	recinct:	18	Mo. SOL	EO SOL
Saturday, 05/23/2020 10:29 PM		§ 87(2)(b)			84	11	/23/2021	5/4/2022
Date/Time CV Reported		CV Reported At:	How CV Reported	:	Date/Time	Rece	eived at CCI	RB
Sat, 05/23/2020 10:47 PM		IAB	Phone	Fri, 05/29/2020 11:31 AM				
Complainant/Victim	Type	Home Addre	ess					
Witness(es)		Home Addre	ess					
Subject Officer(s)	Shield	TaxID	Command					
1. POM Steven Dulcey	05205	964497	PSA 3					
2. POF Joselin Ramirez	25985	967275	PSA 3					
Officer(s)	Allegati	on			Inve	estiga	ator Recon	nmendation
A.POM Steven Dulcey	Abuse: Police Officer Steven Dulcey failed to provide with a business card.							
B.POF Joselin Ramirez	Abuse: Police Officer Joselin Ramirez failed to provide with a business card.							
C.POM Steven Dulcey	Abuse: Police Officer Steven Dulcey threatened to remove to the hospital.							
§ 87(2)(g), § 87(4-b)								
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§ 87(2)(g), § 87(4-b)								

Case Summary





§ 87(2)(g), § 87(4-b)
§ 87(2)(g), § 87(4-b)
Allegation (C) Abuse of Authority: Police Officer Steven Dulcey threatened to remove to the hospital.
It is undisputed that PO Dulcey said to \$87(200) that he could remove \$87(200) to a hospital.
According to serious after he requested the officers' business cards, serious told PO Dulcey to "drop [his] attitude." PO Dulcey responded that serious should do the same. PO Dulcey then said multiple times that he would bring serious to a hospital.
PO Dulcey acknowledged making the remarks in question. He stated that was calm when he first opened the apartment door, but closed the door and then reopened it, now holding a cell phone. PO Dulcey described some some described some describe
Due to \$\$7(2)(6) s irate demeanor, PO Dulcey believed that \$\$7(2)(6) might be emotionally disturbed. As such, PO Dulcey believed that he would be justified in calling for EMS to evaluate who was behaving erratically and had threatened an officer. PO Dulcey informed that if \$\$7(2)(6) did not calm himself, PO Dulcey would call an ambulance so that EMS could evaluate him, and that \$\$7(2)(6) could possibly be removed to a hospital. PO Dulcey said this in order to deescalate his interaction with \$\$\$7(2)(6) hoping the warning would discourage from behaving angrily. PO Dulcey did not intend to have \$\$\$7(2)(6) transported to a hospital unless \$\$\$7(2)(6) transported to a failed to calm himself.
According to PO Dulcey, sarono made no other or more specific threat than saying, "I can take you." He never threatened PO Ramirez or any other individual. He never threatened self-harm. Lastly, PO Dulcey did not consider sarono to pose a risk of serious harm to himself or to any other person.
PO Ramirez's statement was largely consistent with PO Dulcey's. She also stated that \$870,000 was calm when he first opened the door but grew angry when he returned to the door holding his cell phone. According to PO Ramirez, PO Dulcey said to \$870,000 that if

other individual and never threatened self-harm. He did not appear to PO Ramirez to pose a risk of serious harm to himself or to any other person.
As noted above, recorded a cell phone video capturing a portion of his interaction with the officers. As addressed, the video first captures saking for the officers' business cards and identifying information. expresses his frustration that the officers are not taking action in response to his noise complaints. Then, at the 1 minute 18 second mark, he says to PO Dulcey, "And you can drop the attitude, please." PO Dulcey responds, "You can drop the attitude." responds, "No, no, no – I'll tell you what," at which point PO Dulcey says, "I'll tell you right now. I'll take you to the hospital right now." When replies, "Excuse me?" PO Dulcey continues, "I will take you to the hospital right now." asks twice, "You were making a threat?" PO Dulcey responds, "I will."
PO Dulcey and PO Ramirez both reviewed this video in its entirety during their respective CCRB interviews. Responding to the video, PO Dulcey stated that during the encounter, stock appeared to record for longer than two minutes. Additionally, PO Dulcey stated that the portion of video shown was recorded after said to PO Dulcey, "I can take you." PO Ramirez also believed that this video captured only a portion of the officers' interactions with saying to PO Dulcey, "I can take you down." However, PO Ramirez was certain that saying to PO Dulcey, "I can take you down." However, PO Ramirez was certain that saying to PO Dulcey and first began recording a cell phone video. According to PO Ramirez, saying to PO Dulcey and first began recording a cell phone video. According to PO Ramirez, saying to PO Dulcey and first began recording a cell phone video. According to PO Ramirez, saying to PO Dulcey and first began recording a cell phone video.
NYPD Patrol Guide Procedure 221-13 defines an emotionally disturbed person as an individual who appears to be mentally ill or temporarily deranged and is conducting himself in a manner which a police officer reasonably believes is likely to result in serious injury to himself or others (Board Review 08).
Both PO Dulcey and PO Ramirez described as angry, and the cell phone video confirms that he spoke to officers in an elevated tone. However, both officers testified that did not appear to pose a risk of serious harm to himself or to others. While the officers stated that sale said to PO Dulcey, "I can take you down," or a similar statement, PO Ramirez clarified that sale made this remark after PO Dulcey said that he would bring to a hospital.
§ 87(2)(g), § 87(4-b)

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§ 87(2)(g), § 87(4-b)			
	<u>Civili:</u>	an and Officer CCRB Histories	
§ 87(2)(b)			
•			
CCRB • This is	complaint with three	per of service for two years and ha allegations. That case is pending the laint involving PO Ramirez, who	review by the Board.
	•	ation, Civil and Criminal Histor	ries
§ 87(2)(b)		iate this complaint.	<u>K5</u>
§ 87(2)(b)			
	tober 22, 2020, the Of and been filed regardin	fice of the Comptroller informed ing to this incident.	Inv. Finch that no notice of
Squad No.:	9		
Investigator:	Samuel Ross Signature	Inv. Samuel Ross Print Title & Name	April 21, 2021 Date
Squad Leader:	Monique West Signature	IM Monique West Print Title & Name	
Reviewer:	Signature	Print Title & Name	Date